

# **MICHIGAN DOMESTIC VIOLENCE PREVENTION AND TREATMENT BOARD**

## **MEETING MINUTES**

**May 9, 2001**

**\*\*\* APPROVED – July 10, 2001 \*\*\***

### **Members Present:**

James A. Fink, Chair  
Ferne Farber

Shirley Mann Gray  
Catherine C. Lucas

### **Members Absent:**

The Honorable Richard Halloran  
Michelle Hayes

The Honorable Edward Sosnick

### **Staff Present:**

Debi Cain, Executive Director  
Michelle Bynum  
Sandy Cory  
Sarah Heuser

Julie Lyons  
Anna Melbin  
Karen Porter

### **Guests:**

Jo Bullis, Women's Resource Center  
Suzanne Coates, Turning Point, Inc.  
Margaret Flanagan, Attorney General's Office  
Pam Forbes, Women's Information Service  
Kathy Hagenian, MCADSV  
Larry Hermen, Centerboard Associates  
Doreen Howson, Eastern UP Domestic Violence  
Char Kangas, Baraga County Shelter Home  
Co  
Mary Keefe, MCADSV  
Ctr  
Sue Kensington, Women's Center  
Amy Krause, Attorney General's Office

Jan Mancinelli, Women's Resource Ctr of N MI  
Brenda Miliken, YWCA Interim House  
Barbara Mills, YWCA Domestic Assault Program  
Beth Morrison, Relief After Violent Encounter  
Emily Newhouse, Barbara Kettle Gundlach  
Marie Peterson, Region Four Community Svcs  
Susan Shoultz, CADA  
Joyce Siegel, Sexual Assault Services/Calhoun  
Co  
Gwyn VanDevender, Thumb Area Assault Crisis  
Ctr  
Rhonda Weathers, OASIS  
Ginny Wood, Catherine Cobb Shelter Home

### **Welcome and Introductions**

The May 9, 2001, Michigan Domestic Violence Prevention and Treatment Board (MDVPTB) meeting at the Kellogg Hotel and Conference Center, East Lansing, MI, convened at 12:30 pm. Introductions were made and a welcome extended to guests.

### **Review of Agenda and Approval of Minutes**

J. Fink added "parking lot issues" to the agenda under the Chair's report.

**MOTION: C. Lucas moved to approve the agenda as revised. Seconded by S. Mann Gray. Motion carried.**

Approval of the April 3, 2001 minutes will be tabled to the July 10 board meeting. Revisions by C. Lucas included language changes to page 5, Domestic Violence/Child Welfare, items 1 and 2.

**MOTION: C. Lucas moved to table the April 3, 2001 minutes to the July 10, 2001 board meeting. Seconded by F. Farber. Motion carried.**

## **CHAIR'S REPORT**

### **Executive Limitation Policies: Treatment of Consumers**

Discussion was held on the Treatment of Consumers policy. Clarification is needed for defining consumers, providing procedural safeguards for the transmission of information, and establishing with consumers a clear contract of what may be and may not be expected from the service offered.

J. Fink and D. Cain will review this policy and report back in July with the revised language.

### **Executive Limitation Policies: Financial Condition Language**

Previously revised language will be available at the July board meeting.

### **Domestic Violence/Child Welfare Legislation**

D. Cain reported on the legislation regarding rebuttable presumption in the Child Protection Act and whether or not the definition of omission should be expanded in the Child Protection Act. A draft memo to Doug Howard from the MDVPTB was reviewed. The memo highlights three issues:

(1) rebuttable presumption, (2) expansion of the omissions language, and (3) issues arising from child witnessing. The memo and related supporting information will be a discussion item at the July board meeting.

K. Hagenian reported on two proposed identical bills, House Bill 4546 and Senate Bill 428. Both bills relate to rebuttable presumption:

(4) . . . if the court determines that a party to a child custody action has a history of domestic violence against the other party, a rebuttable presumption arises that it is detrimental to the child and not in the child's best interests for the domestic violence perpetrator to be awarded sole custody, joint legal custody, or joint physical custody of the child. The court may find a history of domestic violence if the court finds that a single incident of domestic violence resulted in serious bodily injury or involved the use of a weapon or if there has been more than one incident of domestic violence. If the court determines that each party has a history of domestic violence against the other party, the court shall apply the presumption in favor of the party determined to be less likely to continue to perpetrate domestic violence.

(5) A presumption that arises under subsection (4) is rebutted if it is demonstrated that an award of sole custody, joint legal custody, or joint physical custody to the perpetrator is

in the best interest of the child and that there exists no significant risk of future domestic violence against a child or adult living in the home or against another family member, including another party to the case.

The Michigan Coalition Against Domestic and Sexual Violence (MCADSV) is making the recommendation to use “presumption” as part of the custody determination. The bill does not effect parenting time, it is rebuttable, and does not preclude change or review of custody. Representative Hart is sponsoring the bill. There is a House hearing on May 30, chaired by Representative Howell.

K. Hagenian, on behalf of the MCADSV, requested the board consider taking a position of this bill. After discussion with Doug Howard, J. Fink will head the board's formation of a position by the May 30 hearing. C. Lucas requested that an update on this issue be added to the July agenda.

**MOTION: Made by C. Lucas for J. Fink to form the board's position on House Bill 4546 by May 30, 2001 and submit to K. Hagenian, Michigan Coalition Against Domestic and Sexual Assault. Seconded by F. Farber. Motion carried.**

### **Board Meeting Parameters**

D. Cain reported, that after checking the legislation, there is nothing that indicates the number of times per year that the board must meet.

### **Meeting with Doug Howard and Jim Beougher**

J. Fink reported that he and D. Cain will meet on May 11 with D. Howard and J. Beougher to discuss the board/Agency relationship. The interaction between FIA and the board have been positive and progressive.

### **Parking Lot Issues**

L. Hermen clarified the subject of “parking lot issues”. It is the responsibility of the Governance Committee to keep a rolling list of issues that need board response. He suggested attaching a list of issues to the monthly meeting notice keeping participants aware of big picture issues for discussion. Scanning the environment will trigger which issue(s) need attention at that time. An agenda item could be added to allow the board to look at the issues and choose which items should be moved to the head of the list and acted upon.

## **MONITORING TO ASSURE ORGANIZATIONAL PERFORMANCE**

### **The Governance Process: Committee Structure**

Under The Governance Process, Committee Structure, Governance Committee, C. Lucas suggested removing “for parking lot” in item 1.B. The new language will read:

- B. Authority: The board delegates authority to work with the Executive Director and others to develop or refine policy and Ends language for consideration of the full board, to help set the board agenda, and to shape discussion issues for consideration of the full board. Any language recommended for board consideration will be consistent with board stated intent.

## **The Governance Process: Board Committee Principles**

The changes were approved by the board on April 3, 2001.

## **Executive Limitation Policies: Communication and Counsel to the Board**

The board felt the communication between the Executive Director and the board is articulate and informative. L. Hermen, as consultant to the board, expressed that he is in consensus with the current report as written.

## **EXECUTIVE DIRECTOR'S REPORT ON ENDS DEVELOPMENT – WORK TO DATE**

### **Jane White Report**

The Jane White Report will be moved to the July board agenda. D. Cain is requesting staff input before the next board meeting.

### **Work Plans**

D. Cain reported on domestic violence and child welfare initiatives. An update was given by D. Cain on the domestic violence case, which took place in Oakland County. S. Mann Gray gave an update on a domestic violence case in Detroit.

C. Hackett Garagiola is currently attending a full faith and credit (FFC) conference. A package of material developed by the FFC task force is being mailed to task force members this week. She will also be representing the MDVPTB at a conference sponsored by the California courts. The conference will feature work done by courts on rebuttable presumption and domestic violence.

D. Cain will be at the May, Family Violence Prevention and Services Program Grant (FVPSA), meeting in Washington. The MDVPTB is federally funded by VAWA II monies, including the FVPSA funds which are specifically for domestic violence programs. New reporting updates will be discussed.

President Bush has recommended an increase in the VAWA budget. Congress is not expected to vote on this increase until mid to late summer. Currently, the only STOP grants cuts we have passed along are to our state partners. Direct victim service grants have not been reduced.

A five-year STOP grant state plan is in the process of being drafted. When the official state appropriation is received, the MDVPTB has 90 days to respond with a state plan. Staff are drafting the plan and will submit to agency directors for review prior to the 90-day deadline.

M. Bynum was introduced. She has joined the MDVPTB staff coming from the State of Georgia and brings with her considerable knowledge in the area STOP grants, VOCA and Byrne Fund money. L. Hermen and M. Bynum are taking a look at ways of streamlining the contracting process and collapsing various contracts into one master contract with different sections. The grant process is also under exploration.

J. Wright and D. Cain have met with Mort Crim Associates regarding the proposed MDVPTB status report and logo. The status report was given to the board for their review. D. Cain

reported that she has met with FIA's Communication Office regarding MDVPTB letterhead. The MDVPTB logo and board members list will be added directly below FIA's new logo.

The Pro Bono Project intent is to sponsor a May 31 one-day domestic violence training for 300 attorneys who are willing to give pro bono time to provide services to battered women. Two hundred thirty-three attorneys have registered. The morning session will be conducted via teleconferencing. The afternoon session will be held in 12 sites where attendees will work with local people in their particular area, i.e., a judge, attorney, Friend of the Court, advocates.

In R. Halloran's absence, J. Fink reported on the court rule which eliminates the option of a PPO violation hearing being held at the place of violation rather than at the issuing court. The Supreme Court decided not go ahead with the proposed change. Therefore, the matter has become a non-issue.

D. Cain reported for R. Halloran that he has received confirmation from the Michigan Supreme Court that, at their annual judge's conference in October, they have set aside 2.5 hours for R. Halloran, C. Hackett Garagiola, D. Cain, and E. Sosnick to conduct a domestic violence workshop for judges.

### **Governor's Domestic Violence Homicide Prevention Task Force Report**

The Domestic Violence Homicide Prevention Task Force Report was presented by D. Cain. A 1,200-person mailing was completed, transmitting the report to government officials, newspapers, service providers, advocates, etc. Additional copies of the report can also be downloaded from the state website ([www.state.mi.us/migov/ltgov](http://www.state.mi.us/migov/ltgov)).

The task force report reflects the work of its 13 members and the testimony of domestic violence survivors and/or their families. Five hearings were conducted throughout the state with coordinating councils agreeing to testify. The communities involved came through with flying colors when asked for their involvement. Thank you. This report is the culmination of these sources.

Seven domestic violence recommendations are listed below with the intent to increase public awareness and education. (D. Cain is seeking clarity as to the direction of the recommendations and the time frames involved.)

1. Coordinate public awareness, education and prevention campaigns, through the Michigan Domestic Violence Prevention and Treatment Board.

*[A two-level process: A state campaign or PSA, posters, etc. to bring visibility and awareness of the domestic violence issue to the citizens of Michigan as a whole. MDVPTB will explore what exists in other parts of the country. S. Heuser will be the lead person to develop materials that could be used at both the state and the local communities.]*

2. Develop a state website featuring resources for victims, their family members, service providers, law enforcement, the judiciary, and others to access statistics and information on domestic violence and other resources.

*[S. Heuser and D. Cain are meeting with people from e-Michigan and FIA to develop an*

*additional website or further develop the current website. Recommended that the website be a violence against women site to include victims and family members, domestic violence, sexual assault, and stalking.]*

3. Create and implement a domestic violence prevention and awareness curricula for students to promote non-controlling, non-violent behavior.

*[J. Wright will pull together an advisory group consisting of people from education, domestic violence, and youth group providers. The goal is not to develop new curricula but use national and Michigan curricula already available. The intent is to recommend, for different age groups of children (pre-school through higher education), outstanding videos, curricula, etc. and informing people on availability.]*

4. Direct the Michigan Domestic Violence Prevention and Treatment Board to develop a recommended plan to oversee and monitor batterer intervention programs.

*[Look at what other states have done in this area and develop a plan for Michigan that would be self-supporting. Victim safety is the priority. This should be done in a manner that victim safety is clearly the number one priority of the board and second, build in an evaluation component.]*

5. Direct the development of a Model Domestic Violence Protocol and Resource Guide for Professions Responding to Domestic Violence through the Michigan Domestic Violence Prevention and Treatment Board, and provide for dissemination in local communities.

*[Convene an advisory group to coordinate criminal justice protocols that have already been developed by state partners, the Michigan Commission on Law Enforcement Standards, the Prosecuting Attorneys Association of Michigan, Michigan Judicial Institute, and through the benchguide. These materials would be packaged and available on the website. Develop a checklist of protocols adapted for medical people, law enforcement people, etc.]*

6. Encourage courts when sentencing offenders to batterer intervention programs, to utilize programs that meet state standards. State-accredited programs should be published and disseminated in a statewide directory.

*[The State Court Administrators Office has agreed to disseminate the list of programs to the courts once we have developed a plan and list for those meeting the Batterers Intervention Standards.]*

7. Coordinate and streamline domestic violence funding and monitoring processes for domestic violence service providers.

*[A Joint effort with the Department of Community Health and MSHDA will be intensified to coordinate funding and consolidate materials.]*

D. Cain highlighted other key elements of the task force report:

- Dating violence
- Court rule changes
- Michigan State Police data collection

- Death review teams establishment
- Multidisciplinary work group convened re: medical reporting issues

The MDVPTB is currently in the process of thinking through the recommendations and how to proceed. J. Fink recommended that the board match the above recommendations with their Ends Statements. C. Lucas will draft the match piece and present at the July board meeting.

## **PUBLIC COMMENT**

M. Flanagan thanked the board for notice of the meeting and offered the support of the Attorney General's Office in accomplishing the task force recommendations.

## **PROCESS EVALUATION**

The process evaluation included comments from board members that the meeting went well with good discussion on critical issues, that an incredible amount of work is handled at the meetings because of organization and process used, and that the board is becoming very connected.

L. Hermen stated that the task force report fits with the expanded role of the board. The challenges of the board are huge, and the opportunity is present to extract help from other state agencies.

## **ADJOURNMENT**

The meeting was adjourned at 2:25 pm

**MOTION: Made by C. Lucas to adjourn the meeting. Seconded by F. Farber. Motion carried.**

## **Future Meeting Dates**

The next MDVPTB meeting will be **held on Tuesday, July 10, 2001.**

Future meeting dates:

September 20 & 21 – Board Retreat

Documents referenced in these minutes may be obtained from Sandy Cory, MDVPTB. She can be reached at (517) 335-6388.

The **WEBPAGE** for the MDVPTB is located at:  
[http://www.mfia.state.mi.us/CFSAdmin/dv/domestic\\_violence.html](http://www.mfia.state.mi.us/CFSAdmin/dv/domestic_violence.html)

Respectfully submitted,  
 Sandra Cory